

Sec. 17 Twp. 56 South Range 40 East

**ZONING HEARING APPLICATION  
MIAMI-DADE COUNTY  
DEPARTMENT OF PLANNING & ZONING**

**RECEIVED**  
**MAY 05 2004**  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
BY \_\_\_\_\_

LIST ALL FOLIO #S: 30-6017-000-0010

Date Received \_\_\_\_\_

- 1. NAME OF APPLICANT:** (Provide complete name of applicant, exactly as recorded on deed, if applicable. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Black Creek, LC

**2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 9501 SW 61 Court

City Pinecrest State FL Zip 33156 Phone #: (305) 431-1711

**3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): same as above

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone #: \_\_\_\_\_

**4. CONTACT PERSON'S INFORMATION:**

Name: Javier L. Vazquez, Esq. Company: Law Offices of Javier L. Vazquez, P.A.

Mailing Address: 8061 NW 155<sup>th</sup> Street

City Miami Lakes State Florida Zip 33016

Phone #: 305-825-7080 Other 305-525-2510 Fax#: 305-825-6523 E-mail: javivaz@bellsouth.net

**5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets, as needed).

See attached Exhibit "A"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)  
SE Corner of Old Cutler Road and Florida Turnpike

**7. SIZE OF PROPERTY** (in acres): approx. 24.62 acres (divide total sq. ft. by 43, 560 to obtain acreage)

**8. DATE** property acquired ☒ leased ☐ : Dec. 2002  
(month & year)

**9. LEASE** term: N/A years

**10. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S)**, provide complete legal description of said contiguous property.

N/A

**11. Is there an option to purchase** ☐ **or lease** ☐ **the subject property or property contiguous thereto?**  
☒ no ☐ yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

**12. PRESENT ZONING CLASSIFICATION:** Agric.

**13. APPLICATION REQUESTS:** (Check all that apply and describe nature of the request in space provided). (DBC's require special exception to permit site plan approval unless rezoning 3 acres or less to residential categories).

- ☒ District Boundary Changes (DBC) [Zone class requested]: RU-1M(a)
- ☐ Unusual Use: \_\_\_\_\_
- ☐ Use Variance: \_\_\_\_\_
- ☐ Alternative Site Development: \_\_\_\_\_
- ☐ Special Exception: \_\_\_\_\_
- ☐ Modification of previous resolution/plan: \_\_\_\_\_
- ☐ Modification of Declaration or Covenant: \_\_\_\_\_

**14. Has a public hearing been held on this property within the last year & a half?** ☒ no ☐ yes  
If yes, provide applicant's name, and date, purpose and results of hearing, and resolution number:

**15. Is this hearing is as a result of a violation notice?** ☒ no ☐ yes  
If yes, give name to whom the violation notice was served: \_\_\_\_\_  
and describe the violation: \_\_\_\_\_

**16. Describe structures on the property?** \_\_\_\_\_

**17. Is there any existing use on the property?** ☒ no ☐ yes. If yes, what use and when established?  
Use: \_\_\_\_\_ Year: \_\_\_\_\_

OWNERSHIP AFFIDAVIT  
FOR  
Limited Liability Company

STATE OF Florida

Public Hearing No. \_\_\_\_\_

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Robert M. Oliver, hereinafter the Affiant, who being duly sworn by me, on oath, deposes and says:

1. Affiant is the Manager of Black Creek, LC, a Florida Limited Liability Company, fee owner of the subject property described as per the attached Exhibit "A".
2. Black Creek, LC owns the property which the subject of the proposed hearing.
3. The Subject property is legally described as: See attached Exhibit "A"
3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

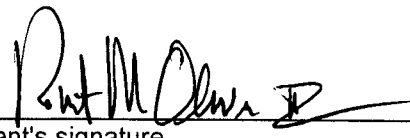
**Witnesses:**

  
Signature

Osmond C. Howe Jr.  
Print Name

  
Signature

Marjorie Poty  
Print Name

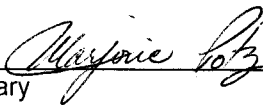
  
Affiant's signature

Robert M. Oliver III  
Print Name

Sworn to and subscribed before me on the 21st day of APRIL, 2004, ~~199~~. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.



Marjorie Poty  
My Commission DD296088  
Expires April 10, 2008

  
Notary  
(Stamp/Seal)

Commission Expires: 04/10/08

DISCLOSURE OF INTEREST\*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: Where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME: Black Creek, LC

<u>NAME, ADDRESS AND OFFICE</u>	<u>Percentage of Stock</u>
<u>See attached Exhibit</u>	

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: Where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME:

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>

Black Creek, L.C.  
a Florida limited liability company

Name & Address of  
Each Member

Percentage of Ownership

Robert M. Oliver III  
9501 S.W. 61 ct.  
Pinecrest Fl. 33156

25%

Richard G. Oliver  
24 Fisk Drive  
Arden N.C. 28704

25%

John G. Oliver  
P.O. Box 636  
N. Wilkesboro N.C. 28659

25%

Elizabeth G. Oliver  
3699 Bougainvillea Rd.  
Miami, Fl. 33133

25%

OWNER OR TENANT AFFIDAVIT

I, \_\_\_\_\_, being first duly sworn, depose and say that I am the  
☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Commission Expires \_\_\_\_\_

\*\*\*\*\* LIMITED LIABILITY COMPANY AFFIDAVIT \*\*\*\*\*

I, ROBERT M. OLIVER Manager, being first duly sworn, depose and say that I am the  
such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true to the best of my knowledge and belief; that said company is the  
☒ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

Robert M. Oliver  
Manager Signature



My Commission DD296088  
Expires April 10, 2008

Sworn to and subscribed to before me  
this 21st day of April, 2004

Marion E. Poff  
Notary Public  
Commission Expires 04/10/2008

\*\*\*\*\* PARTNERSHIP AFFIDAVIT \*\*\*\*\*

We, the undersigned, being first duly sworn, depose and say that we are the partners of the hereinafter named partnership, and as such, have been authorized to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said partnership is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

By \_\_\_\_\_ %  
By \_\_\_\_\_ %

\_\_\_\_\_  
(Name of Partnership)  
By \_\_\_\_\_ %  
By \_\_\_\_\_ %

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Commission Expires \_\_\_\_\_

\*\*\*\*\* ATTORNEY AFFIDAVIT \*\*\*\*\*

I, \_\_\_\_\_, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketch data and other supplementary matter attached and made a part of this application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Commission Expires \_\_\_\_\_

## RESPONSIBILITIES OF THE APPLICANT

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique the zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply with any DERM, or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. I am aware that filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing cost, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred.
3. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing Application may not forestall enforcement action against the property.
4. The 3<sup>rd</sup> District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. In Miami-Dade County v. Omnipoint Holdings, Inc., Case No. 3D01-2347 (Fla. 3<sup>rd</sup> DCA 2002), the 3<sup>rd</sup> District Court of Appeal had held invalid all the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of conditions and covenants. The County Attorney's Office is seeking review of the decision in the Florida Supreme Court, as well as a stay of the decision's effect. While the case is pending, the decision is in effect and binding on all parties. Its impact is to suspend consideration of zoning applications for most special exceptions, unusual uses, non-use variances, and modification of conditions and covenants. In the interim, County staff have developed and proposed to the Board of County Commissioners certain ordinances that would provide interim standards for limited categories of applications. If these standards are enacted, certain applications may be able to proceed to hearing. However, absent a reversal by the courts or enactment of revised regulations, pending applications will not be able to proceed to hearing until the disposition of the pending litigation.
6. Any covenant to be proffered must be submitted to the Department's legal Advisor, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the Applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075

BLACK CREEK, L.C.  
By: Robert M. Oliver  
(Applicant's Signature)

Robert M. Oliver, Manager  
(Print Name)

Sworn and subscribed before me this 21<sup>st</sup> day of April, 2004. Affiant is personally known to me or has produced as identification.

Marjorie Poty  
(Notary Public)  
My commission expires 4/10/08



Marjorie Poty  
My Commission DD298088  
Expires April 10, 2008

OWNERSHIP AFFIDAVIT  
FOR  
PARTIAL INTEREST

STATE OF Florida

Public Hearing No. \_\_\_\_\_

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Robert M. Oliver and Michael Nevel, hereinafter the Affiants, who being duly sworn by me, on oath, deposes and says:

1. Robert M. Oliver is the Manager of Black Creek, LC, a Florida Limited Liability Company, fee owner of a portion of the subject property (Exhibit "B").
2. Michael Nevel is the Trustee of the Black Creek Trust, fee owner of a portion of the subject property (Exhibit "A").
3. Black Creek, LC and Michael Nevel, Trustee own at least 75% of the property which the subject of the proposed hearing.
3. The Subject property is legally described as: See attached Exhibit "C"
3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

**Witnesses:**

Lawrence T. Duddy  
Signature

LAWRENCE T. Duddy  
Print Name

J.P. Schuenzel  
Signature

JOHN P. SCHUENZEL  
Print Name

Robert M. Oliver  
Affiant's signature

Robert M. Oliver  
Print Name

Michael Nevel  
Signature

Michael Nevel  
Print Name



Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_,  
199\_\_\_\_. Robert M. Oliver is personally known to me or has produced \_\_\_\_\_  
\_\_\_\_\_ as  
identification.

\_\_\_\_\_  
Notary  
(Stamp/Seal)

Commission Expires:

Sworn to and subscribed before me on the 30 day of April,  
2004~~199~~\_\_\_\_. Michael Nevel is personally known ✓ to me or has produced \_\_\_\_\_  
\_\_\_\_\_ as  
identification.

Myrna Buitron  
\_\_\_\_\_  
Notary  
(Stamp/Seal)  
Commission Expires \_\_\_\_\_

OWNER OR TENANT AFFIDAVIT

1, MICHAEL NEVEL, TRUSTEE, being first duly sworn, depose and say that I am the  
☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

[Signature]  
Signature

Sworn to and subscribed to before me  
this 17 day of September, 2003

[Signature]  
Notary Public  
Commission Expires JAN. 18 2004

\*\*\*\*\*  
\*

CORPORATION AFFIDAVIT

We, \_\_\_\_\_, being first duly sworn, depose and say that we are the  
☐ President ☐ Vice President, and ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

\_\_\_\_\_  
President's Signature

(Corp. Seal)

ATTEST: \_\_\_\_\_  
Secretary's Signature

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Commission Expires \_\_\_\_\_

\*\*\*\*\*  
\*

PARTNERSHIP AFFIDAVIT

We, the undersigned, being first duly sworn, depose and say that we are the partners of the hereinafter named partnership, and as such, have been authorized to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said partnership is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

\_\_\_\_\_  
(Name of Partnership)  
By \_\_\_\_\_ %  
By \_\_\_\_\_ %

By \_\_\_\_\_ %  
By \_\_\_\_\_ %

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Commission Expires \_\_\_\_\_

\*\*\*\*\*  
\*

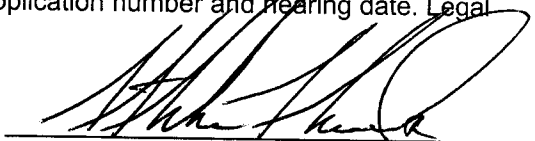
\* ATTORNEY AFFIDAVIT

I, \_\_\_\_\_, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketch data and other supplementary matter attached and made a part of this application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

## RESPONSIBILITIES OF THE APPLICANT

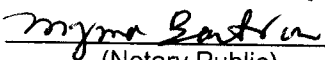
I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique the zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply with any DERM, or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. I am aware that filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing cost, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred.
3. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing., Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing Application may not forestall enforcement action against the property.
4. The 3<sup>rd</sup> District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. In Miami-Dade County v. Omnipoint Holdings, Inc., Case No. 3D01-2347 (Fla. 3<sup>rd</sup> DCA 2002), the 3<sup>rd</sup> District Court of Appeal had held invalid all the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of conditions and covenants. The County Attorney's Office is seeking review of the decision in the Florida Supreme Court, as well as a stay of the decision's effect. While the case is pending, the decision is in effect and binding on all parties. Its impact is to suspend consideration of zoning applications for most special exceptions, unusual uses, non-use variances, and modification of conditions and covenants. In the interim, County staff have developed and proposed to the Board of County Commissioners certain ordinances that would provide interim standards for limited categories of applications. If these standards are enacted, certain applications may be able to proceed to hearing. However, absent a reversal by the courts or enactment of revised regulations, pending applications will not be able to proceed to hearing until the disposition of the pending litigation.
6. Any covenant to be proffered must be submitted to the Department's legal Advisor, on County from, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the Applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075

  
(Applicant's Signature)

MICHAEL NOEL TRUSTEE  
(Print Name)

Sworn and subscribed before me this 17 day of September 2003. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Notary Public)

My commission expires JAN. 18 2004

OWNERSHIP AFFIDAVIT  
FOR  
TRUST

STATE OF Florida

Public Hearing No. \_\_\_\_\_

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Michael Nevel, hereinafter the Affiant, who being duly sworn by me, on oath, deposes and says:

1. Affiant is the Trustee of the Black Creek Trust, fee owner of the subject property with the following address: 6401 SW 87<sup>th</sup> Avenue, Miami, Florida 33173  
NW Corner of Bird Road and SW 130<sup>th</sup> Avenue
2. The Trust owns the property which the subject of the proposed hearing.
3. The Subject property is legally described as: See attached Exhibit "A"
3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

**Witnesses:**

Signature

Print Name

Signature

Print Name

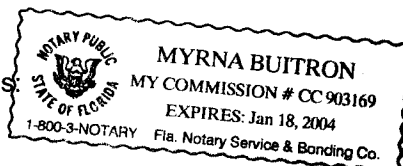
Affiant's signature

Michael Nevel  
Print Name

Sworn to and subscribed before me on the 17 day of September, 2003, 199. Affiant is personally known to me or has produced identification. \_\_\_\_\_ as

Notary  
(Stamp/Seal)

Commission Expires:



DISCLOSURE OF INTEREST\*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: Where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME:

<u>NAME, ADDRESS AND OFFICE</u>	<u>Percentage of Stock</u>

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: Where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME: Black Creek Trust

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See attached Exhibit	

(SCHEDULE "D")  
Beneficial Interests of the  
Future Developable Property

<u>BENEFICIARY</u>	<u>BENEFICIARIES PERCENTAGE</u>
ERIC T. REARDON	33 $\frac{1}{3}$ %
LAWRENCE T. DEDDY	16 $\frac{2}{3}$ %
LEOPOLDO BELLON	16 $\frac{2}{3}$ %
SAM B. NEVEL	16 $\frac{2}{3}$ %
MICHAEL S. NEVEL	16 $\frac{2}{3}$ %


If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

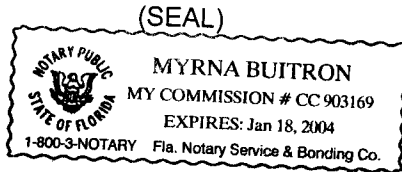
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:   
(Applicant) MICHAEL NEVEL, TRUSTEE

Sworn to and subscribed before me,  
this 17 day of September, 2003

Notary Public, State of Florida at Large

My Commission Expires: JAN. 18, 2004



\*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

If the property which is the subject of the application is owned or leased by a PARTNERSHIP OR LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
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If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee or Partnership list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME:

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Date of contract: 

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21094PG2295

THIS INSTRUMENT PREPARED BY:

NORMAN M. SEVIN, ESQ.

CHERN AND SEVIN

1313 PONCE DE LEON BLVD.

SUITE # 301

CORAL GABLES, FL 33134

TEL. (305) 443-3343

Property Appraisers Parcel Identification

Number(s):

03R173188 2003 MAR 13 12:51

DOCSTPDEE 4,998.00 SURTX 3,748.50  
HARVEY RUVIN, CLERK DADE COUNTY, FL**WARRANTY DEED****THIS WARRANTY DEED**, made the 5<sup>th</sup> day of MARCH, A.D. 2003

by RALPH R. FEUERRING, a married man, as Trustee and Individually, DIANA a/k/a DIANE WINOVICH, a single woman, WILLIAM BROEDER, a married man, Individually and as Trustee of the National Investment and Development Corp. Pension Trust, hereinafter called Grantor, to

MICHAEL S. NEVEL, as Trustee of the Black Creek Trust, with full power and authority either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the property described below, whose post office address is 6401 S.W. 87<sup>th</sup> Avenue, Suite 107, Miami, Florida 33173, hereinafter called the Grantee:

**(Wherever used herein the terms "grantor" and "grantee" shall all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations)**

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situated in Miami-Dade County, State of Florida, viz:

Legal description per Exhibit "A" attached.

Ralph R. Feuerring certifies that he currently resides at 263 Bal Bay Drive, Bal Harbour, Florida, that neither he nor his dependents have ever resided upon the above-described property or any contiguous property, and that the above-described property does not now and has never in the past constituted his homestead.

William Broeder certifies that he currently resides at 20191 E. Country Club Dr., Unit 811, Aventura, Florida, that neither he nor his dependents have ever resided upon the above-described property or any contiguous property, and that the above-described property does not now and has never in the past constituted his homestead.

21094PG2296

Subject to conditions, limitations, restrictions, easements of record, unrecorded covenants running with the land, and taxes for the year 2003 and subsequent years.

**TOGETHER**, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

**IN WITNESS WHEREOF**, the said grantor has signed and sealed these presents the day and year first above written.

**Signed, Sealed and delivered in presence of:**

Dr. Dr. Joseph Y. Bistrice  
Print Dr. Joseph Y. Bistrice

L. Vallee  
Print L. Vallee

Ralph R. Feuring  
RALPH R. FEURING, Individually and as  
Trustee  
263 Bal Bay Drive, Bal Harbour,  
Florida 33154

STATE OF NEW YORK  
COUNTY OF New York

The foregoing instrument was acknowledged before me this 5 day of MARCH, 2003, by RALPH R. FEURING, a married man, Individually and as Trustee, who is personally known to me or who has produced as identification and who did take an oath.

NOTARY PUBLIC

Dr. Joseph Y. Bistrice  
Print Dr. Joseph Y. Bistrice

My commission expires:

State of New York at Large (SEAL)

DR. JOSEPH Y. BISTRICER  
Notary Public, State of New York  
No. 01B16031795  
Qualified in New York County  
Certificate filed in New York County  
Commission Expires October 12, 2005

21094PG2297

**IN WITNESS WHEREOF**, the said grantor has signed and sealed these presents the day and year first above written.

**Signed, Sealed and delivered in presence of:**

Norman M. Sevin  
Print NORMAN M. SEVIN

Paul Schrier  
Print Paul Schrier

Diana Winovich  
DIANA a/k/a DIANE WINOVICH  
6011 N. Bayshore Drive, Miami,  
Florida 33137

STATE OF FLORIDA

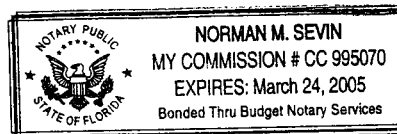
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of MARCH, 2003, by DIANA a/k/a DIANE WINOVICH, a single woman, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC

Norman M. Sevin  
Print NORMAN M. SEVIN  
State of Florida at Large (SEAL)

My commission expires:



IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, Sealed and delivered in presence of:

Maria Esther Smith  
Print ESTHER SMITH

Barbara B. Broeder  
Print BARBARA B. BROEDER

William Broeder, Trustee  
WILLIAM BROEDER, Trustee of the  
National Investment and Development  
Corp. Pension Trust  
300 71<sup>st</sup> Street, Suite 301, Miami Beach,  
Florida 33140.

STATE OF COLORADO

COUNTY OF PITKIN

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of MARCH, 2003, by WILLIAM BROEDER, Trustee of the National Investment and Development Corp. Pension Trust, who is personally known to me or who has produced Florida driver's license B636-920-27-424-0 as identification and who did take an oath.

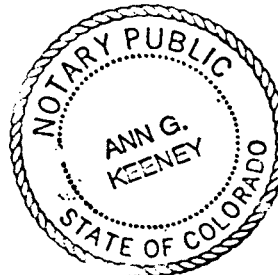
NOTARY PUBLIC

Ann G. Keeney  
Print Ann G. Keeney

My commission expires:

5/14/2004

State of Colorado at Large (SEAL)



21094PG2299

**IN WITNESS WHEREOF**, the said grantor has signed and sealed these presents the day and year first above written.

**Signed, Sealed and delivered in presence of:**

Print Maria Esther Smith  
ESTHER SMITH

Print Barbara B. Broeder  
BARBARA B. BROEDER

William Broeder  
WILLIAM BROEDER  
20191 E. Country Club Drive, Unit 811,  
Aventura, FL 33180

STATE OF COLORADO

COUNTY OF PITKIN

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of March, 2003, by WILLIAM BROEDER, a married man, who is personally known to me or who has produced Florida driver's license B636-920-27-424-0 as identification and who did take an oath.

NOTARY PUBLIC

Ann G. Keeney  
Print Ann G. Keeney

My commission expires:

5/14/2004

State of Colorado at Large (SEAL)

